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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,779	06/18/2001	Daniel T. Johnson	6740.01	2427

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EXAMINER

POINVIL, FRANTZY

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 09/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/883,779

Applicant(s)

JOHNSON ET AL.

Examiner

Frantzy Poinvil

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/01/2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-9, 11-18, 20-28 and 32 remain rejected under 35 U.S.C. 102(e) as being anticipated by Northington et al (US Patent No. 6,128,602).

Applicant's representative argues that Northington et al fail to teach or suggest managing a plurality of assets as claimed.

In response, while the preamble recites a system for managing a plurality of assets, there are no actual steps of managing of assets being recited in the body of the claims. The wherein clause recites "the central processor tracks information relevant to managing each of the plurality of assets". The wherein clause does not recite the central processor manages each of the plurality of assets. Even assuming that the claims were to recite steps or means for managing each of the plurality of assets, Northington et al clearly state in their abstract that:

"The system receives, processes and stores information obtained from a plurality of financial and/or other external computerized systems, and provides one or more authorized users with the ability to monitor financial transactions on-line and manipulate and control all financial transactions of the entity in real time using, for example, Web-browser software technology."

and at column 6, lines 24-41:

“As shown in FIG. 1B, existing systems component 130 includes a general ledger system 131 and a plurality of division systems represented by elements 132, 133, and 134. The general ledger system 131 may maintain the overall financial records of the entity, while the division systems respectively maintain the financial records of divisions within the entity. Financial transactions maintained by the general ledger system 131 and division systems 132, 133, and 134 may include both financial transactions performed internally between two or more divisions within the entity as well as financial transactions performed between the entity and third parties. The system 100 may be implemented to track, store, and reconcile the financial transaction data maintained by the general ledger system 131 and division systems 132, 133 and 134 as described in additional detail below.”.

From these passages, it is clearly comprehended that Northington et al teach all of the claimed features. The entities holding assets of Northington et al are similar to the claimed enterprises holding assets as claimed.

Assuming that functions of managing a plurality of assets were positively recited in the claims, the Examiner notes that Northington et al manage all types of assets (whether financial accounts, stocks) of an entity or enterprise. Using the system of Northington et al to also manage physical items owned by the same entity would have been obvious to do by the ordinary skill in the art. The ordinary skill in the art would not have turned to another specific software for doing so. The one of ordinary skill in the art would have found it obvious to enter the related types of assets under the related categories that would have been needed so as to make their system practical and organized. Moreover, the type of assets being managed does not bring any

unobviousness teachings over Northington et al as Northington et al do teach a plurality of manners to manage assets of an enterprise or entity.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10, 19, 29 and 32 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Northington et al (US Patent No. 6,128,602) as set forth in the prior Office action.

3. Claims 38-45 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Dilger, Karen Abramic ("Asset management, maintenance redefined), Manufacturing Systems, v15n7, pp. 122-128, July 2997, CODEN: MASYES< ISSN: 0748-948X, JRNL CODE: MFS, Dialog file 15, Accession No. 01493159 and/or McGovern et al (5,918,207).

Applicant's arguments regarding that Neither Dilger or McGovern teaches the invention of claims 38 and 45 are not convincing. It is clearly taught that both Dilger and McGovern disclose the invention as claimed. Dilger clearly teaches an asset management system for managing a plurality of assets of one or more enterprises. McGovern et al teach a system and method which automatically select a service worker capable of fulfilling a service request based on the information obtained from the service request. See column 10, line 52 to column 11, line 41 of McGovern.

4. As per the Declaration of Dr. Estrem, it is noted that the Declaration does not show any ties between the claimed invention and the assertion submitted in the Declaration. Thus, there is not a convincing showing of Non-Obviousness.

Furthermore, it should be noted that in the showing of obviousness, the prior art must firstly be considered. The Declaration is considered as secondary considerations and does not give rise to unexpected results.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (703) 305-9779. The examiner can normally be reached on Monday-Thursday.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Frantzy Poinvil
Primary Examiner
Art Unit 3628

FP
September 15, 2005